

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JERRY W. JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:24-cv-60
	)	
SERGEANT WHITSETT,	)	
	)	
Defendant.	)	

**ORDER**

On February 14, 2024, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4, 5.) No objections were filed within the time prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 4), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Recommendation.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 16th day of April, 2024.

  
United States District Judge